



STAFF ANALYSIS

STATE PUBLIC WORKS BOARD

Friday, December 11, 2020 at 10:00 a.m.

This meeting will take place entirely virtually and can be accessed through the following link or phone numbers*:

<https://zoom.us/j/98354864990?pwd=V3c5V0lIVGlnWEZ4TnZZaW5KRm9pUT09>

Meeting ID: 983 5486 4990

Passcode: B8G&Q^y1

Or

Phone: (669) 219 2599**

(669) 900 9128**

(213) 338 8477**

Meeting ID: 983 5486 4990

Passcode: 54342031

I.	Roll Call		
II.	Minutes	Page	2
III.	Consent Items	Page	2
IV.	Action Items	Page	12
V.	Other Business	Page	17
VI.	General Public Comment	Page	17
VII.	Reportables	Page	18

*Due to the Governor's proclamation of a State of Emergency resulting from the threat of COVID-19, and pursuant to the Governor's Executive Order N-29-20, issued March 17, 2020, the Board meeting will take place entirely virtually on December 11, 2020. Members of the Board will participate in this meeting remotely via telephonic or video conference. The meeting may be observed through the Zoom link and telephone number identified above. If using the Zoom platform, please install the Zoom application and enter the virtual conference room prior to the 10:00 a.m. meeting start time. Members of the public may participate through telephone, the Zoom platform, or by submitting public comment in advance. If members of the public wish to submit comments in advance, the Board asks members of the public to provide written comments to Kat.Lee@dof.ca.gov prior to the meeting. To the extent possible, all written comments will be distributed to the members of the Board prior to the meeting.

** This phone number **IS NOT** a toll free number.

Pursuant to section 11125 of the Government Code, notice of all Board meetings will be given at least ten days in advance and such notice must include a copy of the agenda. Members of the public may address the Board prior to it taking action on any matter in the agenda.

This notice and the Board agenda for the current month are available on the State Public Works Board website. [Please click here to view](#). The full Board member briefing package is available upon request. Please send an email to Kat.Lee@dof.ca.gov.

Individuals who need disability-related accommodation, including auxiliary aids for effective participation at this public meeting are invited to make their requests and preferences known to Kat Lee at (916) 445-9694 or e-mail to Kat.lee@dof.ca.gov, five days prior to the meeting.

MINUTES

Consider approving the minutes from the November 13, 2020 meeting.

Staff have reviewed the minutes from the November 13, 2020 meeting and recommend approval.

Staff Recommendation: **Approve minutes from the November 13, 2020 meeting.**

CONSENT CALENDAR A

CONSENT ITEM—1

**EXPOSITION PARK (3100)
LEIGHTON AVENUE
LOS ANGELES COUNTY**

*Authority: Section 15853 of the Government Code and Section 4051(a)(10) of the
Food and Agricultural Code*

Consider authorizing:

- 1) Acquisition of real property.**
- 2) Execution of an Exchange Agreement and any such documents as may be required to complete the acquisition.**

STAFF ANALYSIS ITEM—1

Exposition Park
Leighton Avenue
Los Angeles County

Action requested

If approved, the request will authorize the acquisition of real property and the execution of an exchange agreement and any such documents as may be required to complete the acquisition.

Background

Per a 2017 Lease and Agreement ("Agreement") between the Exposition Park ("Expo Park") and the Lucas Museum of Narrative Art ("Tenant"), the Tenant leases from Expo Park a portion of the park property for the purpose of constructing The Lucas Museum of Narrative Art ("Museum") and providing for uniform management of the Museum and its associated landscaped open space. The Museum project features approximately 300,000 square feet of new building space, two underground parking

structures, one of which is located beneath Leighton Avenue, and 11-acres of landscaped open space.

The Tenant's greater leased area ("Premises") includes, among other areas, portions of Leighton Avenue. Leighton Avenue is currently under lease to the State from the City, and is further subleased by the State to the Museum. Leighton Avenue is reported by the City to be a fee parcel under the jurisdiction of City Parks, who utilized the property for parking; it is not used as a public roadway within Expo Park. Leighton Avenue consists of two Assessor's Parcel Numbers (APNs), 5037-027-924 and 5037-027-925, an area totaling approximately 0.5 acres ("Parcels"). The City of Los Angeles currently owns fee title to the Parcels. The State owns and operates a new subterranean parking structure, a portion of which is located beneath the Parcels.

In order to improve operational efficiencies, Expo Park has been working with the City of Los Angeles, the County of Los Angeles, and the Los Angeles Memorial Coliseum Commission to consolidate title on real property within the park. This proposed acquisition represents a next step in the overall plan to consolidate real property management and ownership. Notably, roughly 90% of the park is already owned in fee by the State.

This request seeks authorization to acquire fee ownership of the Parcels from the City in exchange Expo Park will grant a license pursuant to a license agreement to the City for 33 parking spaces located on State owned property. As part of this acquisition, the State agrees to continue to utilize the Parcels for public park purposes. The City has acknowledged via the quit claim deed at its City Council meeting approving this transaction that the use of the subsurface portion of the Parcels as a public garage is consistent with public park purposes.

Funding and Cost Verification

DGS' administrative costs associated with this project are being paid by Exposition Park. Exposition Park's associated project costs are to be reimbursed by the Tenant.

CEQA

DGS advises the execution of the exchange agreement and such documents as may be required to complete the transaction are determined to be administrative actions that will not, in and of themselves, result in direct or indirect physical changes to the environment. Therefore, these actions are not considered a project subject to the California Environmental Quality Act (CEQA) pursuant to Section 15378 of the State CEQA Guidelines.

Project Schedule

Close of escrow: January 2021

Other

- An updated Master Plan for Expo Park was adopted by the Board of Directors for Expo Park on September 30, 2020. The transaction contemplated by this acquisition is in conformance with the updated Master Plan.
- The proposed acquisition is consistent with the state's planning priorities in accordance with Section 65041 et. Seq., of the Government Code. Ownership of the Parcels will ensure more efficient management at Expo Park.

- There are no historical issues and no implied dedication associated with the property.
- No relocation assistance is required.
- Neither DGS nor Expo Park are aware of any lawsuits pending concerning the Property.

Staff Recommendation:

Authorize the acquisition of real property and the execution of an exchange agreement and any such documents as may be required to complete the acquisition.

CONSENT ITEM—2

**DEPARTMENT OF PARKS AND RECREATION (3790)
SOUTH YUBA RIVER STATE PARK, HISTORIC COVERED BRIDGE
NEVADA COUNTY**

*Authority: 2014 Budget Act, Items 3790-301-0890 (1) and 3790-301-6051 (5), as
reverted by the Budget Act of 2015
2015 Budget Act, Items 3790-301-0890 (2) and 3790-301-6051(3), as
reappropriated by the 2017 and 2018 Budget Acts
2017 Budget Act, Item 3790-301-6051 (2), as reappropriated by the 2018
Budget Act
2018 Budget Act, Item 3790-301-6051 (5)*

Consider approving an augmentation.

STAFF ANALYSIS ITEM—2

Department of Parks and Recreation
South Yuba River State Park, Historic Covered Bridge
Nevada County

Action Requested

If approved, the requested action will approve an augmentation.

Scope Description

This project is within scope. This project consists of the rehabilitation and restoration of the Bridgeport Covered Bridge, which is the longest covered bridge in North America, in order to prevent it from collapsing into the South Yuba River and to allow for its reopening to the visiting public. The project includes the temporary protection of the river corridor beneath and downstream of the bridge; exterior and interior shoring; removal and replacement of damaged or compromised iron and wood structural components; replacement of bridge abutments; and the removal or replacement of damaged siding and roofing.

Funding and Cost Verification

This project is not within cost. A total of \$6,928,000 has been appropriated for this project. The construction contract was awarded in August 2018 and construction started in March 2019. An augmentation of \$682,000 was approved in June 2020 to cover additional costs discovered during the first part of construction. At the time of the

prior augmentation, it was recognized that additional costs were likely to be encountered; however, the Department was not in a position to provide a final estimate as portions of the bridge had yet to be removed, making it impossible to know the entire underlying condition of certain bridge members and support structures. Now that the project is near completion and the condition of all bridge components is known, any additional unforeseen conditions should be minimal.

The conditions relating to this augmentation include recently discovered subsurface geotechnical conditions and the increased complexity and workload involved in replacing multiple components of the arch cord system caused by additional structural members that were subsequently discovered to be unsound.

As a result, an augmentation of \$703,000 Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (10.2 percent of total project cost) is requested to complete the restoration of the South Yuba River State Park, Historic Covered Bridge (Project). This augmentation request will cover additional unforeseen costs, as described below, and will restore the construction contingency to cover additional costs that may be encountered through completion. Combined with a previous augmentation of \$682,000 (9.8 percent of total project costs) approved in June 2020, the cumulative augmentation is \$1,385,000 (20 percent of total project costs).

On November 20, 2020, the Department of Finance notified the chairs of the Joint Legislative Budget and fiscal committees in each house of its intent to recommend the Board approve the augmentation of additional authority no sooner than 20 days from that date.

\$7,610,000 Total authorized project costs

\$8,313,000 Total estimated project costs

\$7,610,000 Project costs previously allocated: \$ 193,000 for preliminary plans, \$163,000 for working drawings, and \$7,254,000 for construction (\$5,461,000 contract, \$1,317,000 contingency, \$263,000 A&E costs, and \$213,000 agency retained)

\$703,000 Augmentation: \$703,000 for construction (\$450,000 contract, \$23,000 contingency, \$110,000 A&E costs, \$105,000 other project costs, and \$15,000 agency retained)

CEQA

Department of Parks and Recreation filed a Negative Declaration with the State Clearinghouse on May 02, 2017 and the 35-day statute of limitations expired without challenge.

Real Estate Due Diligence

Department of Parks and Recreation completed a Summary of Conditions Letter and for this project on April 20, 2017 and no issues that would adversely affect the beneficial use and quiet enjoyment of the project were identified.

Project Schedule

Approve preliminary plans	May 2017
Complete working drawings	February 2018
Start construction	March 2019
Complete construction	March 2021

Staff Recommendation: **Approve augmentation.**

CONSENT ITEM—3

**DEPARTMENT OF PARKS AND RECREATION (3790)
ANZA BORREGO STATE PARK
SAN DIEGO, RIVERSIDE, AND IMPERIAL COUNTIES**

*Authority: 2020 Budget Act, Item 3790-301-0392 (1)
Section 2787 (a)(2) of the Fish and Game Code*

Consider authorizing:

- 1) Acquisition of real property.**
- 2) Execution of a Property Acquisition Agreement and other such documents as may be required to complete the acquisition.**

STAFF ANALYSIS ITEM—3

Department of Parks and Recreation
Anza Borrego Desert State Park
San Diego, Riverside, and Imperial Counties

Action requested

If approved, the request will authorize the acquisition of real property and the execution of a Property Acquisition Agreement and other such documents as may be required to complete the acquisition.

Scope Description

This project is within scope. This request will authorize the acquisition of approximately 17,000 acres of vacant, unimproved land in San Diego, Riverside, and Imperial Counties (the "Property") owned by the Anza-Borrego Foundation (the "Foundation"). The Property is adjacent to or within the boundaries of Anza-Borrego Desert State Park ("ABDSP"). The Foundation was established at the request of the California State Parks Commission in 1967 and has previously acquired and transferred more than 54,000 acres of property to the Department of Parks and Recreation ("Parks").

Acquisition of the Property would improve visitor access to popular areas of ABDSP, including Coyote Canyon, Anza-Borrego Desert State Wilderness, and the Pacific Crest Trail, and would stabilize habitat integral to Desert Bighorn Sheep, Mountain Lions, and other endangered or threatened species. It would enhance wildlife migration and preserve important wildflower and ocotillo habitats. The Property is also rich in paleontological resources, archeological artifacts, as well as areas of historical significance.

Funding and Cost Verification

This project is within cost. The total cost for the acquisition is \$4,816,750. The Budget Act of 2020 provides \$1,656,000 for the acquisition of the Property. The Habitat Conservation Funds, which is continuously appropriated, has \$3,161,000 currently available in money statutorily allocated for acquisitions of this type. The Property can be acquired with the funds available and in accordance with legislative intent.

\$ 4,817,000 Total authorized project costs

CEQA

Parks and Recreation filed a Notice of Exemption with the State Clearinghouse on May 30, 2019 and the 35-day statute of limitations expired without challenge.

Project Schedule

The anticipated close of escrow is December 2020.

Condition of Property

In February and June of 2018 the Department of General Services (DGS) Environmental Services Unit (ESU) visited the Property in order to gain familiarity with the 331 mostly non-contiguous desert and mountainous parcels. Of the 331 parcels, 293 are located in San Diego County, 31 in Riverside County, and 7 are in Imperial County. A majority of the parcels are remote, inaccessible by car and truck and have never been developed or improved, except for hiking trails.

Two parcels are within the flood zone AO and in the 100-year flood plain. Due to the fact that no structures are present within this zone, this condition will not impact park operations. Based on its review of the Property, the ESU staff concluded that the Property is compatible with the proposed future use.

Environmental Site Assessment (ESA)

A Phase 1 ESA was completed in January 2019 on the Property. No significant environmental concerns were revealed by the report. However, inspections did reveal several minor existing conditions of environmental interest: an active groundwater monitoring well, an inactive water well and an exposed underground storage tank.

Active groundwater monitoring well – The monitoring well was privately drilled in the early 1950s. The Foundation owns the existing groundwater monitoring well and ownership will pass to Parks when the Property transfers. No third-party rights exist in connection with the well. The monitoring well is accessed by various agencies to take water level measurements several times a year. When Parks takes ownership of the Property, periodic access will be granted to the agencies through a right of entry issued by the local Parks district office.

Inactive water well - An environmental cleanup contractor securely capped the well. The well was not permanently abandoned because Parks may reactivate it in the future.

Exposed underground storage tank - A licensed environmental clean-up contractor removed the tank. The tank does not appear to have been used.

DGS ESU staff did not observe any additional environmental concerns.

Other

- The Board approved delegated site selection of the Property on October 8, 2019.
- Any changes to public access, use, development, resources or habitat protection will be addressed through the normal budget process.
- A portion of the Property is currently leased at no cost to Parks for operation and stewardship. Such property will be released from the lease upon transfer of fee title.
- The purchase price does not exceed the estimated fair market value of the Property, as determined by a DGS approved appraisal.
- Certain portions of the Property are encumbered with recorded use restrictions requiring such property to be maintained in its natural state. Several encumbrances require the entities that provided funds to the Foundation approve transfer of the encumbered property to Parks. Parks has received written indication of consent from all necessary entities that will be effective upon completion of acquisition of the Property. These restrictions are consistent with Parks' planned use of the Property and do not increase operational costs or result in reduced value of the Property.
- Wildlife Conservation Board (WCB) grants were used by the Foundation to acquire portions of the Property. The terms of such grants require the Foundation to assign, and Parks to assume, the obligations to maintain the Property in its natural state. There are assignment and assumption agreements related to the WCB grants that have been executed by Parks and attached as exhibits to the Property Acquisition Agreement.
- As a condition of the LWCF grant used to fund a significant portion of this acquisition, Parks' ability to develop the Property will be limited to projects that support and/or enhance outdoor recreation. A majority of the ABDSP is already encumbered with LWCF restrictions and these use restrictions are consistent with Parks' planned use of the Property.
- Acquisition of the Property will eliminate approximately 100 miles of private boundaries and inholdings, resulting in significant operational savings connected with boundary management and addressing other incompatible uses. As such, acquisition of the Property will not increase operational costs at ABDSP. However, notwithstanding Parks' ability to manage the Property within existing resources, the Foundation and Parks are in discussions to have the Foundation transfer a portion of the purchase price it receives for the Property into an endowment benefitting Parks and to be expended at Parks' discretion for the purpose of enhancing operations and funding improvement projects at ABDSP and other parks within the Colorado Desert District. Such endowment will be implemented separate from this acquisition.
- The state will be acquiring the Property subject to various mineral and surface rights issued to private parties. These rights are commonly found in the ABDSP area and do not pose a problem for Parks' intended use of the Property.
- Neither DGS nor Parks is aware of any lawsuits pending concerning the Property. The Property Acquisition Agreement will require delivery of title free and clear of any mortgages or liens.
- No relocation assistance is required.
- The site meets the physical and location requirements of Parks.
- There are no historical issues or implied dedications associated with the subject Property.
- The proposed project location is consistent with the state's planning priorities in accordance with Government Code Section 65041 et seq.

Staff Recommendation:

Authorize the acquisition of real property and the execution of a Property Acquisition Agreement and other such documents as may be required to complete the acquisition.

CONSENT CALENDAR B

CONSENT ITEM—1

**CALIFORNIA GOVERNOR'S OFFICE OF EMERGENCY SERVICES (0690)
SACRAMENTO: FIRE APPARATUS MAINTENANCE SHOP AND GENERAL PURPOSE
WAREHOUSE
SACRAMENTO COUNTY**

Authority: 2019 Budget Act, 0690-301-0001(1)

Consider authorizing:

- 1) Acquisition of real property**
- 2) Execution of a Property Acquisition Agreement and other such documents as may be required to complete the acquisition**

ITEM PULLED

CONSENT ITEM—2

DEPARTMENT OF CORRECTIONS AND REHABILITATION (5225) VALLEY STATE PRISON – ARSENIC REMOVAL WATER TREATMENT PLANT MADERA COUNTY

*Authority: 2019 Budget Act, Item 5225-301-0001 (20)
2020 Budget Act, Item 5225-301-0001 (15)*

Consider recognizing:

- 1) A scope change.
- 2) An anticipated deficit.

STAFF ANALYSIS ITEM—2

Department of Corrections and Rehabilitation
Valley State Prison – Arsenic Removal Water Treatment Plant
Madera County

Action Requested

If approved, the requested action will recognize a scope change and an anticipated deficit.

Scope Description

This project is not within scope. The current project scope includes the design and construction of an arsenic removal water treatment plant to address an increase in arsenic levels detected in the water supply at Valley State Prison (VSP) and at the adjacent Central California Women's Facility. The scope of work includes construction of an approximately 2,200 square foot (sf) building to house electronic controls and monitors required for the plant, as well as all necessary treatment equipment for this process.

During the preliminary plans phase for this project, the presence of manganese was identified through source water testing, resulting in the need for a treatment process capable of effectively removing both arsenic and manganese. The California Department of Corrections and Rehabilitation requests a scope change to add the equipment, chemicals, and storage required for the removal of this additional constituent. Also, it was determined the building to house the pumps, electronic controls/monitors, electrical/mechanical rooms, and other necessary equipment were undersized and needed to be increased by 1,100 sf for a total of approximately 3,300 sf. Additionally, an approximately 3,100 sf attached outdoor covered storage area will need to be added to the project to provide enough capacity to store the necessary chemicals and multi-cell pressure filter system. In total, approximately 4,200 sf of equipment storage space would be added, of which 1,700 sf is related directly to the addition of the manganese removal equipment, and 2,500 sf is related to insufficient sizing in the original scope.

On November 20, 2020, the Department of Finance notified the Chairs of the Joint Legislative Budget Committee and the fiscal committees in each house of its intent to approve the scope change and recommend that the Board approve this revised scope no sooner than 20 days from that date.

Funding and Cost Verification

This project is not within cost. The Budget Act of 2019 (Chapter 23, Statutes of 2019) appropriated \$1,508,000 General Fund for the preliminary plans phase of the Arsenic Removal Water Treatment Plan at VSP. The Budget Act of 2020 (Chapter 7, Statutes of 2020) appropriated \$1,453,000 General Fund for working drawings for the project. Funding for the construction phase, which is estimated at \$20,275,000 General Fund, will be requested in a future budget cycle.

A revised project cost estimate was prepared in association with the change in scope. Based on this revised estimate, the result is a total estimated project cost of \$23,236,000, which represents an increase of \$1,817,000 (8% of previously total estimated project costs), of which approximately \$915,000 is related to addressing the removal of manganese. The remainder of the increase is due to the undersized building and costs associated with project delays and extensions. The identification of the additional scope requirements is estimated to result in project delays of 4 months for preliminary plans and an extended duration of 8 months for project completion.

\$2,961,000 Total authorized project costs

\$23,236,000 Total estimated project costs

\$1,508,000 Project costs previously allocated: \$1,508,000 for preliminary plans

\$19,911,000 Project costs to be allocated: \$1,453,000 for working drawings and \$18,458,000 for construction (\$13,745,000 contract, \$687,000 contingency, \$1,045,000 A/E, \$1,883,000 other project costs, and \$1,098,000 agency retained)

\$1,817,000 Anticipated project deficit: \$1,817,000 for construction (\$780,000 contract, \$39,000 contingency, \$269,000 A/E, \$420,000 other project costs, and \$309,000 agency retained)

CEQA

CDCR filed a Notice of Exemption with the State Clearinghouse on August 17, 2020 and the 35-day statute of limitations expired without challenge.

Real Estate Due Diligence

CDCR will complete a Summary of Conditions Letter for this project prior to approval of preliminary plans.

Project Schedule

Approve preliminary plans	February 2021
Complete working drawings	January 2022
Start construction	May 2022
Complete construction	February 2024

Staff Recommendation:

Recognize scope change and anticipated deficit.

ACTION ITEMS

ACTION ITEM—1

HIGH SPEED RAIL AUTHORITY (2665) INITIAL OPERATING SEGMENT, SECTION 1 VARIOUS COUNTIES

*Authority: 2012 Budget Act, Item 2665-306-0890 (1), as reappropriated by the 2018 Budget Act
2012 Budget Act, Item 2665-306-6043 (1), as reappropriated by the 2018 Budget Act
2014 Budget Act, Item 2665-306-3228 (1),
Section 39719(b) (2) of the Health and Safety Code
Section 39719.1 of the Health and Safety Code
Section 15854 of the Government Code*

Consider the adoption of Resolutions of Necessity authorizing the use of eminent domain by the High Speed Rail Authority to acquire the following properties or interests in property for the High Speed Train System:

- 1) Colby Property (Fresno County)
Authority Parcel Number: FB-10-0605-1
Assessor Parcel Number: 480-360-19S**
- 2) Grewal Property (Fresno County)
Authority Parcel Numbers: FB-10-1497-1 and FB-10-1497-2
Assessor Parcel Number: 056-020-76S (formerly designated as 056-020-64S)**
- 3) Hill Property (Fresno County)
Authority Parcel Numbers: FB-10-1354-4 and FB-10-1354-8
Assessor Parcel Number: 042-170-43S (formerly designated as 042-170-27S)**
- 4) Vie Del Property (Fresno County)
Authority Parcel Number: FB-10-1362-7
Assessor Parcel Number: 042-180-13**
- 5) Vie Del Property (Fresno County)
Authority Parcel Number: FB-10-1655-1
Assessor Parcel Number: 042-170-41S (formerly designated as 042-170-16S)**
- 6) Diepersloot Property (Fresno County)
Authority Parcel Numbers: FB-10-1491-1, and FB-10-1491-3
Assessor Parcel Number: 056-020-08S**
- 7) Jennings Property (Kern County)
Authority Parcel Numbers: FB-10-1619-1, and FB-10-1619-2
Assessor Parcel Number: 487-163-17**
- 8) Farmland Reserve Parcel (Kern County)
Authority Parcel Number: FB-15-9024-1**

Assessor Parcel Number: 072-180-01

9) Modesto Property (Kings County)

Authority Parcel Numbers: FB-16-0303-1 and FB-16-0303-2

Assessor Parcel Number: 034-040-013

10) Headrick Property (Kings County)

**Authority Parcel Numbers: FB-16-0756-2, FB-16-0757-2, FB-16-0757-3,
FB-16-0943-1, FB-16-0943-2, and FB-16-0943-3**

Assessor Parcel Number: 028-050-006 and 028-050-003

11) Schakel Property (Tulare County)

**Authority Parcel Numbers: FB-54-0384-1, FB-54-0384-2, FB-54-0384-3,
FB-54-0384-4, and FB-54-0384-5**

Assessor Parcel Numbers: 293-200-008 and 311-030-009

12) Schakel Property (Tulare County)

**Authority Parcel Numbers: FB-54-0385-1, FB-54-0385-2, FB-54-0385-3,
FB-54-0385-4, FB-54-0385-5, FB-54-0385-6, FB-54-1113-1, and FB-54-0113-2**

Assessor Parcel Numbers: 293-200-009 and 311-030-024

13) Schakel Property (Tulare County)

Authority Parcel Numbers: FB-54-0387-1, FB-54-0387-2, and FB-54-0387-3

Assessor Parcel Number: 311-040-022

14) SFP-E Property (Fresno County)

Authority Parcel Number: MF-10-1054-1

Assessor Parcel Number: 509-050-06

15) Liberty Farms II Property (Madera County)

Authority Parcel Numbers: MF-20-1477-1 and MF-20-1477-2

Assessor Parcel Number: 047-240-012 (formerly designated as 047-240-004)

STAFF ANALYSIS ITEM—1

High Speed Rail Authority
Initial Operating Segment, Section 1
Various Counties

Action Requested

Adopt Resolutions of Necessity authorizing the use of eminent domain by the High Speed Rail Authority to acquire properties or interest in properties 1 through 6 and 8 through 10 for the High Speed Train System.

Background

Under California Eminent Domain Law, the Board is the governing body of the High Speed Rail Authority (Authority) for purposes of adopting Resolutions of Necessity that are required for the Authority to initiate eminent domain proceedings. To adopt a Resolution of Necessity the Board must consider that the following conditions have been met:

(A) The public interest and necessity require the project;

- (B) The project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury;
- (C) The property sought to be acquired is necessary for the project; and,
- (D) The offer required by Government Code section 7267.2 has been made to the owner or owners of record.

The properties are within the right of way for the Initial Operating Segment, Section 1, extending from Madera to Shafter, and are within the preferred alignment as previously approved by both the High Speed Rail Authority Board of Directors and the Federal Railroad Administration. Acquisition of these properties will allow the Authority to move forward with construction of the High Speed Train System (HSTS).

The Authority notified the Board's staff that between June 2020 and October 2020 the respective property owners were provided with a first written offer to purchase the subject property, as required by Government Code section 7267.2. The Authority has informed the Board's staff that negotiations to acquire the property are continuing; however, to keep the project on schedule, the adoption of Resolutions of Necessity to authorize the use of eminent domain is required at this time.

On November 23, 2020, Notices of Intent to adopt a Resolution of Necessity were mailed by Board staff to the property owners. These notices were sent in accordance with Code of Civil Procedure section 1245.235.

Property Specific Information:

1) Colby Property (Fresno County)

Authority Parcel Number: FB-10-0605-1

Assessor Parcel Number: 480-360-19S

Partial Acquisition: Approximately 0.04 acre in easement

The property interest identified by the Authority Parcel Number is needed for a PG&E easement to accommodate the sway of powerlines parallel to the northern property line at East Church Avenue.

2) Grewal Property (Fresno County)

Authority Parcel Numbers: FB-10-1497-1, and FB-10-1497-2

Assessor Parcel Number: 056-020-76S (formerly designated as 056-020-64S)

Partial Acquisition: Approximately 0.29 acre (0.20 acre in fee, 0.09 acre in easement)

The property interests identified by the Authority Parcel Numbers are needed for the construction of the Elkhorn Avenue grade separation and access to properties south of Elkhorn Avenue.

3) Hill Property (Fresno County)

Authority Parcel Numbers: FB-10-1354-2, and FB-10-1354-8

Assessor Parcel Number: 042-170-43S (formerly designated as 042-170-27S)

Partial Acquisition: Approximately 0.09 acre in easement

The property interest identified by the Authority Parcel Numbers is needed for the installation of canal improvements (Harlan Stevens Ditch) and to relocate utilities along E. Rose Avenue.

4) Vie Del Property (Fresno County)

Authority Parcel Number: FB-10-1362-7

Assessor Parcel Number: 042-180-13

Partial Acquisition: Approximately 0.10 acre in easement

The property interest identified by the Authority Parcel Number is needed for the realignment S. Chestnut Avenue south of the E. Nebraska Avenue.

5) Vie Del Property (Fresno County)

Authority Parcel Number: FB-10-1655-1

Assessor Parcel Number: 042-170-16S (formerly designated as 042-170-16S)

Partial Acquisition: Approximately 0.08 acre in easement

The property interest identified by the Authority Parcel Number is needed for the installation of canal improvements (Harlan Stevens Ditch) north of E. Nebraska Avenue.

6) Diepersloot Property (Fresno County)

Authority Parcel Numbers: FB-10-1491-1, and FB-10-1491-3

Assessor Parcel Number: 056-020-08S

Partial Acquisition: Approximately 1.35 acres (1.33 acres in fee, 0.02 acre in easement)

The property interests identified by the Authority Parcel Numbers are needed for construction of the High Speed Rail (HSR) corridor at E. Elkhorn Avenue grade separation.

7) Jennings Property (Kern County)

Authority Parcel Numbers: FB-10-1619-1, and FB-10-1619-2

Assessor Parcel Number: 487-163-17

Property Pulled

8) Farmland Reserve Parcel (Kern County)

Authority Parcel Number: FB-15-9024-1

Assessor Parcel Number: 072-180-01

Partial Acquisition: Approximately 0.04 acre in easement

The property interest identified by the Authority Parcel Number is needed for a PG&E easement along Dresser Avenue, adjacent to HSR corridor.

9) Modesto Property (Kings County)

Authority Parcel Numbers: FB-16-0303-1, and FB-16-0303-2

Assessor Parcel Number: 034-040-013

Partial Acquisition: Approximately 0.03 acre in fee

The property interest identified by the Authority Parcel Numbers is needed for the realignment of 5 ½ Avenue to provide access to Niles Avenue upon completion of the HSTS

10) Headrick Property (Kings County)

Authority Parcel Numbers: FB-16-0756-2, FB-16-0757-2, FB-16-0757-3, FB-16-0943-1, FB-16-0943-2, and FB-16-0943-3

Assessor Parcel Numbers: 028-050-006, and 028-050-003

Partial Acquisition: Approximately 2.55 acres in easement

The property interest identified by the Authority Parcel Numbers is needed for 4 PG&E easements, a Lakeside Ditch easement, and two temporary construction easements along the HSR corridor between Idaho Avenue and Jackson Avenue.

11) Schakel Property (Tulare County)

Authority Parcel Numbers: FB-54-0384-1, FB-54-0384-2, FB-54-0384-3, FB-54-0384-4, and FB-54-0384 -5

Assessor Parcel Numbers: 293-200-008, and 311-030-009

Property Pulled

12) Schakel Property (Tulare County)

Authority Parcel Numbers: FB-54-0385-1, FB-54-0385-2, FB-54-0385-3, FB-54-0385-4, FB-54-0385-5, FB-54-0385-6, FB-54-1113-1, and FB-54-0113-2

Assessor Parcel Numbers: 311-030-024, and 293-200-009

Property Pulled

13) Schakel Property (Tulare County)

Authority Parcel Numbers: FB-54-0387-1, FB-54-0387-2, and FB-54-0387-3

Assessor Parcel Number: 311-040-022

Property Pulled

14) SFP-E Property (Fresno County)

Authority Parcel Number: MF-10-1054-1

Assessor Parcel Number: 509-050-06

Property Pulled

15) Liberty Farms Property (Madera County)

Authority Parcel Numbers: MF-20-1477-1, and MF-20-1477-2

Assessor Parcel Number: 047-240-012 (formerly designated as 047-240-004)

Property Pulled

Staff Recommendation:

Adopt Resolutions of Necessity authorizing the use of eminent domain by the Authority to acquire the above-described properties or interests in properties for the HSTS.

OTHER BUSINESS

NONE

GENERAL PUBLIC COMMENT

REPORTABLES

Reportable Items

For the December 11, 2020 Board Meeting

Actions Authorized by Staff from October 30, 2020 through November 30, 2020

As Authorized by Resolution of the Board dated December 13, 2019

<u>Department/Org Code</u>	<u>Project Title</u>	<u>Project Authority</u>	<u>Action</u>	<u>Amount/(Percent)</u>
Board of State and Community Corrections (5227)	Adult Local Criminal Justice Facilities Project, Humboldt County	Sections 15820.93 – 15820.936 of the Government Code (SB 863)	Approve preliminary plans Recognize revised project costs	\$21,897,000 total authorized project costs Decrease of \$64,000 local costs
California Community Colleges (6870)	Los Rios Community College District, Folsom Lake College: Instructional Buildings Phase 2.1, Sacramento County	2019 Budget Act, Item 6870-301-6087 (41) as reappropriated by the Budget Act of 2020	Approve preliminary plans	
California Community Colleges (6870)	Los Rios Community College District, Natomas Education Center: Natomas Center Phase 2 and 3, Sacramento County	2019 Budget Act, Item 6870-301-6087 (36) as reappropriated by the Budget Act of 2020	Approve preliminary plans	

California Community Colleges (6870)	Redwoods Community College District, College of Redwoods: Physical Education Replacement, Humboldt County	2019 Budget Act, Item 6870-301-6087(17) as reappropriated by the 2020 Budget Act	Approve preliminary plans	
California Community Colleges (6870)	Mt. San Antonio Community College District, Mt. San Antonio College: New Physical Education Complex, Los Angeles County	2016 Budget Act, Item 6870-301-6087 (15) 2019 Budget Act, Item 6870-301-6087(11)	Provide approval to receive bids for the construction of several public works projects as a single project	